

TENNESSEE STATE BOARD OF EQUALIZATION
BEFORE THE ADMINISTRATIVE JUDGE

IN RE:

Sinclair Broadcasting Group, Inc.)
Personal Property Account Nos. 086938)
086939, 118795, 118797, 118798, 124866) Davidson County
125021, 127580)
Tax Year 2003)

INITIAL DECISION AND ORDER

Statement of the Case

The values in controversy are assessments issued by the Davidson County Assessor of Property of accounts containing non-standard analog equipment communication equipment. Account number 127580 was created for tax year 2004 and is not a part of the 2003 property tax appeal.

The Metropolitan Board of Equalization Davidson County Assessor of Property have valued the subject accounts for tax purposes prior to the issuance of back assessments on accounts 118795, 118797 and 125021 as follows:

ACCOUNT NUMBER	APPRAISAL	ASSESSMENT
086938	\$ 2,141,929	\$ 642,579
086939	\$ 2,356,297	\$ 706,889
118795	\$ 2,614,061	\$ 784,278
118797	\$ 896,427	\$ 268,928
118798	\$ 49,073	\$ 14,722
124866	\$ 1,263,233	\$ 378,970
125021	\$ 42,687	\$ 12,806

An appeal was filed with the State Board of Equalization. The matter was reviewed by the administrative judge pursuant to Tenn. Code Ann. Section 67-5-1412, 67-5-1501 and 67-5-1505.

Findings of Fact and Conclusions of Law

This appeal has been represented by several different parties and continued several times since the original appeals were filed by the taxpayer on November 11, 2003.

The property was audited by a contract auditor for the county and the results were communicated with the taxpayer by letter dated November 30, 2004. The taxpayer took exception and a series of dialogs ensued with back assessment notices issued to accounts 118795, 118797 and 125021 dated November 30, 2005. The result of the

audit discovered some unreported assets but in some cases was a shifting of assets erroneously reported by the taxpayer to the actual account situs. The results included a negative variance on accounts 086938, 086939, 118798, 124866, and 125021. Back assessments were issued for the positive variances on the aforementioned accounts.

Upon discussions with the taxpayer's representative and review of the assets a corrected audit finding was communicated with the taxpayer on June 19, 2007. Based upon their findings the Davidson County Assessor of Property and taxpayer has stipulated on the equalized fair market value of subject property accounts that are indicated as follows for tax year 2003. These values represent the final total values for tax year 2003 and are inclusive of any previous back assessment notices issued for that year:

ACCOUNT NUMBER	APPRAISAL	ASSESSMENT
086938	\$ 280,191	\$ 84,057
086939	\$ 2,054,095	\$ 616,229
118795	\$ 5,270,978	\$ 1,581,293
118797	\$ 2,083,727	\$ 625,118
118798	\$ 42,984	\$ 12,895
124866	\$ 680,065	\$ 204,020
125021	\$ 49,740	\$ 14,922

The administrative judge finds that the above valuations of subject property accounts should be adopted pursuant to the agreement of the parties and that it reflects the equalized fair market value of subject property.

ORDER

It is therefore ORDERED that the following equalized value and assessments be adopted for subject property:

ACCOUNT NUMBERS	APPRAISAL	ASSESSMENT
See Above	\$ 10,461,780	\$ 3,138,534

Pursuant to the Uniform Administrative Procedures Act, Tenn. Code Ann. 4-5-301-325, Tenn. Code Ann. 67-5-1501, and the Rules of Contested Case Procedure of the State Board of Equalization, the parties are advised of the following remedies:

1. A party may appeal this decision and order to the Assessment Appeals Commission pursuant to Tenn. Code Ann. 67-5-1501 and Rule 0600-1-.12 of the Contested Case Procedures of the State Board of Equalization. Tennessee Code

Annotated 67-5-1501 (c) provides that an appeal **"must be filed within thirty (30) days from the date the initial decision is sent."** Rule 0600.1-.12 of the Contested Case Procedures of the State Board of Equalization provides that the appeal be filed with the Executive Secretary of the State Board and that the appeal **"identify the allegedly erroneous finding(s) of fact and/or conclusions(s) of law in the initial order"**; or

2. A party may petition for reconsideration of this decision and order pursuant to Tenn. Code Ann. 4-5-317 within (15) days of the entry of the order. The petition for reconsideration must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking administrative or judicial review; or

3. A party may petition for a stay of effectiveness of this decision and order pursuant to Tenn. Code Ann. 4-5-316 within (7) days of the entry of the order.

This order does not become final until an official certificate is issued by the Assessment Appeals Commission. Official certificates are normally issued seventy-five (75) days after the entry of the initial decision and order if no party has appealed.

ENTERED this 14th day of September, 2007.

Pete Loesch

PETE LOESCH
ADMINISTRATIVE JUDGE
TENNESSEE DEPARTMENT OF STATE
ADMINISTRATIVE PROCEDURES DIVISION

AGREED AND APPROVED:

A. Dean Lewis

Assessor's Representative

8/24/07

Date

[Signature]

Taxpayer's Representative

8/29/07

Date